

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

3. The petitioner does not dispute any of the figures used by the Department. Unfortunately, she has high monthly

expenses for prescription medications. She has been found eligible for VScript benefits but this entails a 50 percent copayment on her part. VHAP would cover all the costs of her prescriptions.

ORDER

The decision of the Department is affirmed.

REASONS

Under the VHAP regulations, all unearned income is included as countable income for eligibility. W.A.M. 4001.81(b) and (c). Unlike Medicaid, there are no deductions for ongoing medical expenses in the VHAP program (although the Board has repeatedly pointed out the inherent unfairness of the lack of such a provision).

The Department is correct that the petitioner now has countable income of \$1,137 per month. The maximum for eligibility under the program for a one-person household is \$1,114 per month. P-2420 B (6). If the petitioner has income above that figure, she cannot be found eligible for VHAP. W.A.M. 4001.83 and 4001.84. As the Department's decision is in accord with its regulation, the Board is bound to uphold the decision. 3 V.S.A. 3091(d), Fair Hearing Rule 17.

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